

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction

LLS NO. 24-0876.01 Jery Payne x2157

SENATE BILL 24-172

SENATE SPONSORSHIP

Pelton B., Ginal, Hinrichsen

HOUSE SPONSORSHIP

McLachlan,

Senate Committees

Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 **CONCERNING CHANGING THE PHRASE "INDUSTRIAL HEMP PRODUCT"**
102 **TO THE PHRASE "HEMP PRODUCT" IN THE STATUTES THAT**
103 **REGULATE MARIJUANA.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Senate Bill 23-271 changed a defined phrase from "industrial hemp product" to "hemp product". Some instances of the phrase "industrial hemp product" were not changed to the new defined term. The bill changes those terms in the marijuana statutes to conform to the current defined phrase.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
2nd Reading Unamended
March 25, 2024

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-203, **amend**
3 (2)(d)(I) as follows:

4 **44-10-203. State licensing authority - rules. (2) Mandatory**
5 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)
6 must include but need not be limited to the following subjects:

7 (d) (I) Establishment of a marijuana and marijuana products
8 independent testing and certification program for marijuana business
9 licensees, within an implementation time frame established by the
10 department, requiring licensees to test marijuana and ~~industrial~~ hemp
11 products to ensure, at a minimum, that products sold for human
12 consumption by persons licensed pursuant to this article 10 do not contain
13 contaminants that are injurious to health and to ensure correct labeling.

14 **SECTION 2.** In Colorado Revised Statutes, 44-10-501, **amend**
15 (3)(e) as follows:

16 **44-10-501. Medical marijuana store license. (3) (e) (I)** A
17 medical marijuana store that sells ~~an industrial~~ A hemp product shall
18 ensure that the ~~industrial~~ hemp product has passed all testing required by
19 rules promulgated by the state licensing authority pursuant to section
20 44-10-203 (2)(d). Prior to taking possession of the ~~industrial~~ hemp
21 product, a medical marijuana store shall verify the ~~industrial~~ hemp
22 product passed all testing required for medical marijuana products at a
23 licensed medical marijuana testing facility and that the person transferring
24 the ~~industrial~~ hemp product has received a registration from the
25 department of public health and environment pursuant to section
26 25-5-426.

1 (II) Absent sampling and testing standards established by the
2 department of public health and environment for the sampling and testing
3 of ~~an industrial~~ A hemp product, a person transferring ~~an industrial~~ A
4 hemp product to a medical marijuana store pursuant to this section shall
5 comply with sampling and testing standards consistent with those
6 established by the state licensing authority pursuant to this article 10. The
7 state licensing authority shall report to the department of public health
8 and environment any investigations or findings of violations of this
9 section by a person registered pursuant to section 25-5-426.

10 **SECTION 3.** In Colorado Revised Statutes, 44-10-503, **amend**
11 (5)(b) as follows:

12 **44-10-503. Medical marijuana products manufacturer license**
13 **- rules - definition.** (5) (b) (I) A medical marijuana products
14 manufacturer that uses ~~an industrial~~ A hemp product as an ingredient in
15 a medical marijuana product shall ensure that the ~~industrial~~ hemp product
16 has passed all testing required by rules promulgated by the state licensing
17 authority pursuant to section 44-10-203 (2)(d). Prior to taking possession
18 of the ~~industrial~~ hemp product, a medical marijuana products
19 manufacturer shall verify the ~~industrial~~ hemp product passed all testing
20 required for medical marijuana products at a licensed medical marijuana
21 testing facility and that the person transferring the ~~industrial~~ hemp
22 product has received a registration from the department of public health
23 and environment pursuant to section 25-5-426.

24 (II) Absent sampling and testing standards established by the
25 department of public health and environment for the sampling and testing
26 of ~~an industrial~~ A hemp product, a person transferring ~~an industrial~~ A
27 hemp product to a medical marijuana products manufacturer pursuant to

1 this section shall comply with sampling and testing standards consistent
2 with those established by the state licensing authority pursuant to this
3 article 10. The state licensing authority shall report to the department of
4 public health and environment any investigations or findings of violations
5 of this section by a person registered pursuant to section 25-5-426.

6 **SECTION 4.** In Colorado Revised Statutes, 44-10-504, **amend**
7 (1)(a) as follows:

8 **44-10-504. Medical marijuana testing facility license - rules.**

9 (1) (a) A medical marijuana testing facility license may be issued to a
10 person who performs testing and research on medical marijuana,
11 ~~industrial~~ hemp products as regulated by part 4 of article 5 of title 25, for
12 medical marijuana licensees, medical marijuana and medical marijuana
13 products for marijuana and research development licensees, and
14 marijuana or marijuana products grown or produced by a registered
15 patient or registered primary caregiver on behalf of a registered patient,
16 upon verification of registration pursuant to section 25-1.5-106 (7)(e) and
17 verification that the patient is a participant in a clinical or observational
18 study conducted by a marijuana research and development licensee, and
19 ~~industrial~~ hemp products as regulated by part 4 of article 5 of title 25. The
20 facility may develop and test medical marijuana products.

21 **SECTION 5.** In Colorado Revised Statutes, 44-10-601, **amend**
22 (3)(c) and (7)(a) as follows:

23 **44-10-601. Retail marijuana store license - rules - definitions.**

24 (3) (c) (I) A retail marijuana store that sells ~~an industrial~~ A hemp product
25 shall ensure that the ~~industrial~~ hemp product has passed all testing
26 required by rules promulgated by the state licensing authority pursuant to
27 section 44-10-203 (2)(d). Prior to taking possession of the ~~industrial~~ hemp

1 product, a retail marijuana store shall verify the ~~industrial~~ hemp product
2 passed all testing required for retail marijuana products at a licensed retail
3 marijuana testing facility and that the person transferring the ~~industrial~~
4 hemp product has received a registration from the department of public
5 health and environment pursuant to section 25-5-426.

6 (II) Absent sampling and testing standards established by the
7 department of public health and environment for the sampling and testing
8 of ~~an industrial~~ A hemp product, a person transferring ~~an industrial~~ A
9 hemp product to a retail marijuana store pursuant to this section shall
10 comply with sampling and testing standards consistent with those
11 established by the state licensing authority pursuant to this article 10. The
12 state licensing authority shall report to the department of public health
13 and environment any investigations or findings of violations of this
14 section by a person registered pursuant to section 25-5-426.

15 (7) (a) A licensed retail marijuana store may only sell retail
16 marijuana, retail marijuana products, marijuana accessories,
17 nonconsumable products such as apparel, and marijuana related products
18 such as childproof packaging containers, but is prohibited from selling or
19 giving away any consumable product, including but not limited to
20 cigarettes or alcohol, or edible product that does not contain marijuana,
21 including but not limited to sodas, candies, or baked goods; except that
22 a retail marijuana store may sell ~~industrial~~ hemp products.

23 **SECTION 6.** In Colorado Revised Statutes, 44-10-603, **amend**
24 (11) as follows:

25 **44-10-603. Retail marijuana products manufacturer license -**
26 **rules - definition.** (11) (a) A retail marijuana products manufacturer that
27 uses ~~an industrial~~ A hemp product as an ingredient in a retail marijuana

1 product shall ensure that the ~~industrial~~ hemp product has passed all
2 testing required by rules promulgated by the state licensing authority
3 pursuant to section 44-10-203 (2)(d). Prior to taking possession of the
4 ~~industrial~~ hemp product, a retail marijuana products manufacturer shall
5 verify that the ~~industrial~~ hemp product passed all testing required for
6 retail marijuana products at a licensed retail marijuana testing facility and
7 that the person transferring the ~~industrial~~ hemp product has received a
8 registration from the department of public health and environment
9 pursuant to section 25-5-426.

10 (b) Absent sampling and testing standards established by the
11 department of public health and environment for the sampling and testing
12 of ~~an industrial~~ A hemp product, a person transferring ~~industrial~~ A hemp
13 product to a retail marijuana products manufacturer pursuant to this
14 section shall comply with sampling and testing standards consistent with
15 those established by the state licensing authority pursuant to this article
16 10. The state licensing authority shall report to the department of public
17 health and environment any investigations or findings in violation of this
18 section by a person registered pursuant to section 25-5-426.

19 **SECTION 7.** In Colorado Revised Statutes, 44-10-604, **amend**
20 (1)(a) as follows:

21 **44-10-604. Retail marijuana testing facility license - rules.**

22 (1) (a) A retail marijuana testing facility license may be issued to a
23 person who performs testing and research on retail marijuana and
24 industrial hemp as regulated by article 61 of title 35 and ~~industrial~~ hemp
25 products as regulated by part 4 of article 5 of title 25. The facility may
26 develop and test retail marijuana products, industrial hemp as regulated
27 by article 61 of title 35, and ~~industrial~~ hemp products as regulated by part

1 4 of article 5 of title 25. Prior to performing testing on industrial hemp,
2 a facility shall verify that the person requesting the testing has received
3 a registration from the commissioner as required by section 35-61-104.
4 Prior to performing testing on ~~industrial~~ hemp products, a facility shall
5 verify that the person requesting the testing has received a registration as
6 required by section 25-5-426.

7 **SECTION 8. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2024 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.